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7 Attorneys for the Arizona State Board of Pharmacy

8 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

9
10 In the Matter of

11 **STEVEN MARTIN,**

Board Case No. 10-0036-PHR

12 Holder of License No. S011750

**CONSENT AGREEMENT
FOR REVOCATION**

13 As a Pharmacist
14 In the State of Arizona

15 In the interest of a prompt and judicious settlement of this case, consistent with the
16 public interest, statutory requirements and the responsibilities of the Arizona State Board
17 of Pharmacy ("Board") under A.R.S. § 32-1901, *et. seq.*, Steven Martin ("Respondent"),
18 holder of Pharmacist License Number S011750 in the State of Arizona, and the Board
19 enter into the following Recitals, Findings of Fact, Conclusions of Law and Order
20 ("Consent Agreement") as a final disposition of this matter.

21 **RECITALS**

22 1. Respondent has read and understands this Consent Agreement and has had
23 the opportunity to discuss this Consent Agreement with an attorney, or has waived the
24 opportunity to discuss this Consent Agreement with an attorney.

1 2. Respondent understands that he has a right to a public administrative
2 hearing concerning the above-captioned matter, at which hearing he could present
3 evidence and cross examine witnesses. By entering into this Consent Agreement,
4 Respondent knowingly and voluntarily relinquishes all right to such an administrative
5 hearing, as well as rights of rehearing, review, reconsideration, appeal, judicial review or
6 any other administrative and/or judicial action, concerning the matters set forth herein.

7 3. Respondent affirmatively agrees that this Consent Agreement shall be
8 irrevocable.

9 4. Respondent understands that this Consent Agreement or any part of the
10 agreement may be considered in any future disciplinary action by the Board against him.

11 5. Respondent understands this Consent Agreement deals with Board
12 Complaint No. 3720 involving allegations of unprofessional conduct against Respondent.

13 The investigation into these allegations against Respondent shall be concluded upon the
14 Board's adoption of this Consent Agreement.

15 6. Respondent understands that this Consent Agreement does not constitute a
16 dismissal or resolution of any other matters currently pending before the Board, if any,
17 and does not constitute any waiver, express or implied, of the Board's statutory authority
18 or jurisdiction regarding any other pending or future investigation, action or proceeding.

19 7. Respondent also understands that acceptance of this Consent Agreement
20 does not preclude any other agency, subdivision, or officer of this State from instituting
21 any other civil or criminal proceedings with respect to the conduct that is the subject of
22 this Consent Agreement.

23 8. Respondent acknowledges and agrees that, upon signing this Consent
24 Agreement and returning this document to the Board's Executive Director, he may not
25 revoke his acceptance of the Consent Agreement or make any modifications to the
26

1 document regardless of whether the Consent Agreement has been signed by the
2 Executive Director. Any modification to this original document is ineffective and void
3 unless mutually agreed by the parties in writing.

4 9. This Consent Agreement is subject to the approval of the Board and is
5 effective only when accepted by the Board and signed by the Executive Director. In the
6 event that the Board does not approve this Consent Agreement, it is withdrawn and shall
7 be of no evidentiary value and shall not be relied upon nor introduced in any action by
8 any party, except that the parties agree that should the Board reject this Consent
9 Agreement and this case proceeds to hearing, Respondent shall assert no claim that the
10 Board was prejudiced by its review and discussion of this document or any records
11 relating thereto.

12 10. If a court of competent jurisdiction rules that any part of this Consent
13 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement
14 shall remain in full force and effect.

15 11. Respondent understands that this Consent Agreement is a public record that
16 may be publicly disseminated as a formal action of the Board and may be reported as
17 required by law to the National Practitioner Data Bank and the Healthcare Integrity and
18 Protection Data Bank.

19 ACCEPTED AND AGREED BY RESPONDENT

20 Steven Martin
21 Steven Martin

Dated: 11-23-09

22 Subscribed and sworn to before me in the County of Sonoma, State of Ca,
23 this Nov 23 2009 day of _____, 2009, by Steven Martin.

24 Robert N. Foster
25 **ROBERT N. FOSTER** NOTARY PUBLIC
26 **COMM. #1796429**
NOTARY PUBLIC - CALIFORNIA
SONOMA COUNTY
My Comm. Expires April 25, 2012
My Commission expires: _____

FINDINGS OF FACT

1
2 1. The Board is the duly constituted authority for licensing and regulating the
3 practice of pharmacy in the State of Arizona.

4 2. Respondent is the holder of license number S011750 to practice as a
5 pharmacist in the State of Arizona.

6 3. On September 8, 1997, Respondent submitted an application for intern
7 licensure to the Board. The application for intern licensure stated "No charges involving
8 moral turpitude or violations of pharmacy, liquor or controlled substance laws ever made
9 or pending." Respondent initialed beside this statement indicating that the statement was
10 true.
11 true.

12
13 4. In August 1992 in the District of Vermont, Respondent was convicted on
14 two felony counts: (1) making threats by telephone, and (2) making threats by mail.

15 5. In June 1996, the U.S. District Court revoked Respondent's probation upon
16 his admission that he had used a false social security number when submitting an
17 application for a personal loan. This resulted in another felony conviction.

18 6. In December 1989, Respondent applied for licensure with the Nevada State
19 Board of Pharmacy under the name "Jeffrey Robert Beard." He affirmatively declared to
20 the Nevada Board that "Jeffrey Robert Beard" was his true and correct name.
21 Respondent also submitted falsified transcripts in support of that application.
22

23 7. The Nevada Board revoked Respondent's Nevada license in September
24 1992 because it found that Respondent had violated Nevada statutes by submitting a false
25 application and supporting documents.
26

1 either case, conviction by a court of competent jurisdiction or a plea of no contest is
2 conclusive evidence of the commission).

3 5. The conduct described in the Findings of Fact constitutes a violation of
4 A.R.S. § 32-1901.01(B)(16) (Committing an offense in another jurisdiction that if
5 committed in this state would be grounds for discipline).
6

7 6. The conduct described in the Findings of Fact constitutes a violation of
8 A.R.S. § 32-1901.01(B)(17) (Knowingly filing with the Board any application, renewal
9 or other document that contains false or misleading information).
10

11 7. The conduct described in the Findings of Fact constitutes a violation of
12 A.R.S. § 32-1901.01(B)(18) (Providing false or misleading information or omitting

13 material information in any communication to the Board or the Board's employees or
14 agents).

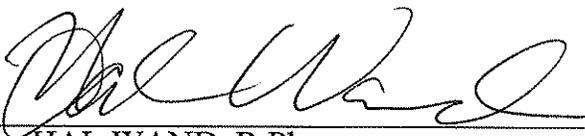
15 **ORDER**

16 Based upon the above Findings of Fact and Conclusions of Law, IT IS HEREBY
17 ORDERED that Respondent's Pharmacist License No. S011750, which was issued to
18 Respondent for the practice of Pharmacy in the State of Arizona, is immediately
19 **REVOKED**. Respondent shall immediately return his Pharmacist License to the Board.
20 Respondent shall not reapply for licensure with the Board or petition for reinstatement of
21 his Arizona Pharmacist License for a period of at least five (5) years from the effective
22 date of this Consent Agreement.
23
24
25
26

1 DATED this 3rd day of February, 2010.

3 ARIZONA STATE BOARD OF PHARMACY

4 (Seal)

5 By: 
6 HAL WAND, R.Ph.
7 Executive Director

8
9
10
11 ORIGINAL OF THE FOREGOING FILED
12 this 14 day of Jan, 2010, with:

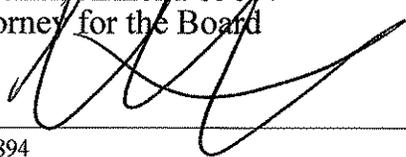
13 Arizona State Board of Pharmacy
14 1700 West Washington, Suite 250
15 Phoenix, Arizona 85007

16 EXECUTED COPY OF THE FOREGOING MAILED
17 BY CERTIFIED MAIL
18 this 14 day of Jan, 2010, to:

19 Steven Martin
20 PO Box 32134
21 Laughlin, NV 89028
22 Respondent

23 EXECUTED COPY OF THE FOREGOING MAILED
24 this 14 day of Jan, 2010, to:

25 Elizabeth A. Campbell
26 Assistant Attorney General
1275 W. Washington Street, CIV/LES
Phoenix, Arizona 85007
Attorney for the Board


#582894